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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/674,775

09/30/2003

David H. Brooks JR.

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10/03/2008

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EXAMINER

VETTER, DANIEL

ART UNIT

PAPER NUMBER

3628

MAIL DATE

DELIVERY MODE

10/03/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/674,775	Applicant(s) BROOKS ET AL.	
	Examiner DANIEL P. VETTER	Art Unit 3628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 June 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) 20-23 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 and 24-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>11/06/2003</u> . | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Status of the Claims

1. Claims 1-31 are currently pending in this application.

Election/Restrictions

2. Applicant's election without traverse of claims 1-19 and 24-31 in the reply filed on June 30, 2008 is acknowledged.
3. Claims 20-23 withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim.

Claim Objections

4. Claim 3 is objected to because of the following informalities: the claim contains an extra period in line 1. Appropriate correction is required.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:
The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
6. Claim 2-13 and 24-31 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
7. Claims 2, 6-8, 10-12, 24, 27, and 30 each recite "a user controller" however at each recitation a user controller already has proper antecedent basis in the claims. The second user controller is not distinguished from the first. Accordingly, it is unclear if this is the same user controller or different one. Dependent claims inherit the above deficiency through their dependency and, as such, are rejected for the same reasons.

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Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 1-9, 11-13, and 24-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beckstrom, et al., U.S. Pat. No. 6,477,512 (Reference A of the attached PTO-892) in view of Yang, et al., U.S. Pat. Pub. No. 2004/0043650 (Reference B of the attached PTO-892).

10. As per claim 1, Beckstrom teaches a mailing machine comprising: a base unit (Fig. 2; col. 3, line 29); a cover secured to the base unit (Fig. 2); and a docking station associated with the cover (Fig. 2; col. 3, line 46), the docking station adapted to secure a user controller and couple the user controller to the mailing machine (col. 3, lines 46-50). Beckstrom does not explicitly teach the docking station being repositionable with respect to the cover such that a user controller secured to the docking station can be positioned in a plurality of different positions with respect to the mailing machine; which is taught by Yang (¶ 0005). It would have been prima facie obvious to one having ordinary skill in the art at the time of invention to incorporate the ability to reposition the user controller in order to provide a versatility of viewing options (as taught by Yang; ¶ 0005). Moreover, this is merely a combination of old elements. In the combination no element serves a function other than it already did independently, and one skilled in the art would have recognized that the combination could be implemented through routine engineering producing predictable results. Examiner notes that while Yang teaches a portable computer rather than a user controller, and does not teach a mailing machine, these are taught in the primary reference. Yang is relied upon to demonstrate that repositionable docking stations are old and well known, and that it would have been obvious to incorporate this feature into the mailing machine taught by Beckstrom to arrive at the claimed invention. This reasoning also applies to all subsequent claims.

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11. As per claim 2, Beckstrom in view of Yang teaches the machine of claim 1 as described above. Beckstrom further teaches a well formed in the cover (Fig. 2); and a rotating portion disposed in the well, the docking station being secured to the rotating portion (Fig. 4). Yang further teaches the rotating portion being rotatable within the well to reposition the docking station with respect to the cover such that a user controller secured to the docking station can be positioned to face in a plurality of different directions with respect to the mailing machine (§ 0005). It would have been prima facie obvious to incorporate this feature for the reasons set forth above with respect to claim 1.

12. As per claim 3, Beckstrom in view of Yang teaches the machine of claim 2 as described above. Beckstrom further teaches the well is integrally molded with the cover (Fig. 2).

13. As per claim 4, Beckstrom in view of Yang teaches the machine of claim 2 as described above. Beckstrom further teaches the well includes at least one stop device to restrict rotation of the rotating portion (col. 5, lines 26-28).

14. As per claim 5, Beckstrom in view of Yang teaches the machine of claim 4 as described above. Beckstrom further teaches the rotating portion includes a plurality of tabs that extend from the user controller (Fig. 4), the tabs contacting a surface of the user controller (Fig. 4), the user controller being supported in the well by the tabs (Fig. 4), at least one tab contacting the at least one stop device in the well to restrict rotation of the rotating portion (col. 5, lines 26-28). While Beckstrom teaches that the tabs are on the bottom of the user controller rather than the top of the well, it would have been prima facie obvious to move the tabs because this is merely a rearrangement of parts already disclosed in the reference. The tabs would serve the same function (restricting movement) whether on the controller or the well. One skilled in the art would have recognized that this modification could be done by routine engineering producing predictable results.

15. As per claim 6, Beckstrom in view of Yang teaches the machine of claim 2 as described above. Beckstrom further teaches the docking station further comprises: a

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first connector to mate with corresponding connector of a user controller (Fig. 5), the connector to mate with a cable from the mailing machine (Fig. 5). While Beckstrom does not explicitly teach a second connector coupled to the first connector, it does teach that the single connector is to mate with both the user controller and mailing machine. It would have been prima facie obvious to one having ordinary skill in the art at the time of invention to split the controller into two because it is merely a duplication of parts without adding any new functionality. The addition could be made by routine engineering producing predictable results.

16. As per claim 7, Beckstrom in view of Yang teaches the machine of claim 6 as described above. Beckstrom further teaches at least one cam for guiding a user controller during insertion of a user controller into the docking station (Fig. 4).

17. As per claim 8, Beckstrom in view of Yang teaches the machine of claim 7 as described above. Beckstrom further teaches the at least one cam includes an inclined guiding portion (Fig. 4), the inclined portion contacting a portion of a user controller to force the user controller downward as it is being inserted into the docking station (col. 5, lines 50-52).

18. As per claim 9, Beckstrom in view of Yang teaches the machine of claim 7 as described above. Beckstrom further teaches the at least one cam is integrally molded with the rotating portion (Fig. 4).

19. As per claim 11, Beckstrom in view of Yang teaches the machine of claim 6 as described above. Beckstrom further teaches a locking tab passing through an opening in the rotating portion (Fig. 4), the locking tab projecting into a corresponding opening in a user controller when a user controller is inserted into the docking station to secure the user controller (col. 5, lines 48-49).

20. As per claim 12, Beckstrom in view of Yang teaches the machine of claim 11 as described above. Beckstrom further teaches a release mechanism coupled to the locking tab (Fig. 4), the release mechanism when activated causing the locking tab to descend through the opening in the rotating portion thereby releasing a user controller secured to the docking station (col. 5, lines 42-45).

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21. As per claim 13, Beckstrom in view of Yang teaches the machine of claim 2 as described above. Yang further teaches the docking station is rotatable in a first plane and pivotable in a second plane (Abstract). It would have been prima facie obvious to incorporate this feature for the reasons set forth above with respect to claim 1.

22. As per claim 24, Beckstrom teaches a mailing machine comprising: a cover (Fig. 2); a well formed in the cover (Fig. 2); a rotating portion disposed in the well (Fig. 4), the rotating portion including a docking station for mounting a user controller (Fig. 4), the docking station including a connector to mate with a corresponding connector on the user controller (Fig. 5), the rotating portion further including a pair of cams to guide a user controller being inserted into the docking station by pushing down on the user controller to align the connector on the docking station with the corresponding connector on the user controller (Fig. 4; col. 5, lines 50-52). Beckstrom does not explicitly teach a user controller inserted into the docking station can be positioned to face in a plurality of different directions with respect to the mailing machine; which is taught by Yang (¶ 0005). It would have been prima facie obvious to one having ordinary skill in the art at the time of invention to incorporate the ability to reposition the user controller in order to provide a versatility of viewing options (as taught by Yang; ¶ 0005). Moreover, this is merely a combination of old elements. In the combination no element serves a function other than it already did independently, and one skilled in the art would have recognized that the combination could be implemented through routine engineering producing predictable results. Examiner notes that while Yang teaches a portable computer rather than a user controller, and does not teach a mailing machine, these are taught in the primary reference. Yang is relied upon to demonstrate that repositionable docking stations are old and well known, and that it would have been obvious to incorporate this feature into the mailing machine taught by Beckstrom to arrive at the claimed invention. This reasoning also applies to all subsequent claims.

23. As per claim 25, Beckstrom in view of Yang teaches the machine of claim 24 as described above. Beckstrom further teaches the well includes at least one stop device

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(col. 5, lines 26-28), and the user controller includes a plurality of tabs that extend from the user controller (Fig. 4), the tabs contacting a surface of the user controller (Fig. 4), the user controller being supported in the well by the tabs (Fig. 4), at least one tab contacting the at least one stop device in the well to restrict rotation of the user controller (col. 5, lines 26-28). While Beckstrom teaches that the tabs are on the bottom of the user controller rather than the top of the rotating portion, it would have been prima facie obvious to move the tabs because this is merely a rearrangement of parts already disclosed in the reference. The tabs would serve the same function (restricting movement) whether on the controller or the rotating portion. One skilled in the art would have recognized that this modification could be done by routine engineering producing predictable results.

24. As per claim 26, Beckstrom in view of Yang teaches the machine of claim 24 as described above. Beckstrom further teaches a locking tab passing through an opening in the rotating portion (Fig. 4), the locking tab projecting into a corresponding opening in the user controller when the user controller is inserted into the docking station to secure the user controller (col. 5, lines 48-49).

25. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Beckstrom, et al. in view of Yang, et al. as applied to claim 7 above, further in view of Flamm, et al, U.S. Pat. No. 5,111,362 (Reference C of the attached PTO-892).

26. As per claim 10, Beckstrom in view of Yang teaches the machine of claim 7 as described above. Beckstrom in view of Yang does not teach a tongue portion having a lip, the tongue portion mating with a corresponding groove in a user controller, the lip mating with a corresponding channel in the groove; which is taught by Flamm (col. 3, lines 38-50). It would have been prima facie obvious to one having ordinary skill in the art at the time of invention to incorporate the above elements into the rotating portion because this is a well known method of fastening (as taught by Flamm, col. 3, lines 50-54). The addition of these fastening elements to the rotating portion could have been implemented through routine engineering producing predictable results.

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27. Claims 14 and 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beckstrom, et al. in view of Yang, et al. as applied to claim 1 above, further in view of Liao, et al., U.S. Pat. No. 6,188,572 (Reference D of the attached PTO-892).

28. As per claim 14, Beckstrom in view of Yang teaches the machine of claim 1 as described above. Beckstrom in view of Yang does not teach that the cover includes a slot that extends along a portion of the cover, and the docking station is slidably mounted within the slot such that the docking station can be moved along the slot to a plurality of different positions with respect to the mailing machine; which is taught by Liao (Abstract; Fig. 6). It would have been prima facie obvious to one having ordinary skill in the art at the time of invention to incorporate the above teachings of Liao in order to accommodate different variations in electrical connector locations (as taught by Liao, col. 2, lines 37-39). Moreover, this is merely a combination of old elements where each element would serve no new function than it already did independently. One skilled in the art would have recognized that this combination could be implemented through routine engineering producing predictable results. Examiner notes that while Liao does not teach a mailing machine, this is taught in the primary reference. Liao is relied upon to demonstrate that slidable docking stations are old and well known, and that it would have been obvious to incorporate this feature into the mailing machine taught by Beckstrom to arrive at the claimed invention. This reasoning also applies to all subsequent claims.

29. As per claim 17, Beckstrom in view of Yang and Liao teaches the machine of claim 14 as described above. Beckstrom further teaches an interface board, the docking station being secured to the interface board (Fig. 5; col. 5, lines 12-14). Liao further teaches a bracket securing the interface board within the slot (Fig. 9). It would have been prima facie obvious to incorporate this feature for the reasons set forth above with respect to claim 14.

30. As per claim 18, Beckstrom in view of Yang and Liao teaches the machine of claim 17 as described above. Liao further teaches a channel secured beneath the

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cover (Fig. 4A), the channel adapted to receive the bracket (Fig. 4A), the bracket sliding along the channel to move the docking station along the slot (col. 3, lines 59-63). It would have been prima facie obvious to incorporate this feature for the reasons set forth above with respect to claim 14.

31. As per claim 19, Beckstrom in view of Yang and Liao teaches the machine of claim 17 as described above. Liao further teaches the interface board is secured to the bracket such that the interface board can be moved along the slot (col. 3, lines 55-63). It would have been prima facie obvious to incorporate this feature for the reasons set forth above with respect to claim 14. Yang further teaches rotatable securitization such that the interface board can be rotated (§ 0005). It would have been prima facie obvious to incorporate this feature for the reasons set forth above with respect to claim 1.

32. Claims 27 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beckstrom, et al. in view of Liao, et al.

33. As per claim 27, Beckstrom teaches a mailing machine comprising: a cover (Fig. 2); and an interface board (Fig. 5), the interface board including a docking station for mounting a user controller (Fig. 2; col. 3, lines 46-50). Beckstrom does not teach a slot in the cover extending along a portion of the cover; and that the interface board is adapted to slide within in the slot; and wherein a user controller inserted into the docking station can be moved by sliding the interface board within the slot to position the user controller in a plurality of different positions with respect to the mailing machine; which are taught by Liao (Abstract; Fig. 6). It would have been prima facie obvious to one having ordinary skill in the art at the time of invention to incorporate the above teachings of Liao in order to accommodate different variations in electrical connector locations (as taught by Liao, col. 2, lines 37-39). Moreover, this is merely a combination of old elements where each element would serve no new function than it already did independently. One skilled in the art would have recognized that this combination could be implemented through routine engineering producing predictable

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results. Examiner notes that while Liao does not teach a mailing machine, this is taught in the primary reference. Liao is relied upon to demonstrate that slidable docking stations are old and well known, and that it would have been obvious to incorporate this feature into the mailing machine taught by Beckstrom to arrive at the claimed invention. This reasoning also applies to all subsequent claims.

34. As per claim 28, Beckstrom in view of Liao teaches the machine of claim 27 as described above. Beckstrom further teaches the docking station includes a connector to mate with a corresponding connector on the user controller (Fig. 5), and the interface board includes a pair of cams to guide a user controller being inserted into the docking station by pushing down on the user controller to align the connector on the docking station with the corresponding connector on the user controller (Fig. 4; col. 5, lines 50-52).

35. Claim 31 is rejected under 35 U.S.C. 103(a) as being unpatentable over Beckstrom, et al. in view of Liao, et al. as applied to claim 27 above, further in view of Yang, et al.

36. As per claim 31, Beckstrom in view of Liao teaches the machine of claim 27 as described above. Liao further teaches the interface board can be slid within the slot (Abstract; Fig. 6). It would have been prima facie obvious to incorporate this feature for the reasons set forth above with respect to claim 27. Beckstrom in view of Liao does not teach the board can be rotated; which is taught by Yang (¶ 0005). It would have been prima facie obvious to one having ordinary skill in the art at the time of invention to incorporate the ability to rotate in order to provide a versatility of viewing options (as taught by Yang; ¶ 0005). Moreover, this is merely a combination of old elements. In the combination no element serves a function other than it already did independently, and one skilled in the art would have recognized that the combination could be implemented through routine engineering producing predictable results.

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37. Claims 15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beckstrom, et al. in view of Yang, et al. and Liao, et al. as applied to claim 14 above, further in view of Cheng, U.S. Pat. No. 5,941,618 (Reference E of the attached PTO-892).

38. As per claim 15, Beckstrom in view of Yang and Liao teaches the machine of claim 14 as described above. Beckstrom in view of Yang and Liao does not teach the slot includes at least one curved portion; which is taught by Cheng (col. 9, lines 21-23). It would have been prima facie obvious to one having ordinary skill in the art at the time of invention to incorporate a curved slot because this is merely a combination of old elements. In the combination no element serves a function other than it already did independently, and one skilled in the art would have recognized that the combination could be implemented through routine engineering producing predictable results.

39. As per claim 16, Beckstrom in view of Yang, Liao, and Cheng teaches the machine of claim 15 as described above. Beckstrom further teaches a first end of the cover located near an input end of the mailing machine to a second end of the cover located near an output end of the mailing machine (Fig. 1). Cheng further teaches the slot extends substantially from end to end (Fig. 7), and the at least one curved portion includes a curved portion near each end of the slot (col. 9, lines 21-23). It would have been prima facie obvious to incorporate this feature for the same reasons set forth above with respect to claim 15.

40. Claims 29 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beckstrom, et al. in view of Liao, et al. as applied to claim 27 above, further in view of Cheng.

41. As per claim 29, Beckstrom in view of Liao teaches the machine of claim 27 as described above. Beckstrom in view of Liao does not teach the slot includes a curved portion; which is taught by Cheng (col. 9, lines 21-23). It would have been prima facie obvious to one having ordinary skill in the art at the time of invention to incorporate a curved slot because this is merely a combination of old elements. In the combination no

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element serves a function other than it already did independently, and one skilled in the art would have recognized that the combination could be implemented through routine engineering producing predictable results.

42. As per claim 30, Beckstrom in view of Liao and Cheng teaches the machine of claim 29 as described above. Cheng further teaches when a user controller is positioned within the curved portion of the slot, a face of the user controller will be rotated with respect to the mailing machine (col. 9, lines 21-23). It would have been prima facie obvious to incorporate this feature for the same reasons set forth above with respect to claim 29. Examiner notes that this limitation merely expresses the intended result of the curved slot, and that this result would be achieved through the curved slot taught by Cheng. Also, examiner notes that while Cheng does not explicitly refer to a mailing machine, this is taught in the primary reference. Liao is relied upon to demonstrate that curved slots are old and well known, and that it would have been obvious to incorporate this feature into the mailing machine taught by Beckstrom and Liao to arrive at the claimed invention.

Conclusion

43. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANIEL P. VETTER whose telephone number is (571)270-1366. The examiner can normally be reached on Monday through Thursday from 8am to 6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on (571) 272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/JOHN W HAYES/

Supervisory Patent Examiner, Art Unit 3628